

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

FREEDOM FROM RELIGION FOUNDATION,)
INC., et al.)

Plaintiffs)

v.)

DONALD J. TRUMP, President, et al.)

Defendants)

Civil Action No. 17-cv-330

**DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER
JURISDICTION OR FOR FAILURE TO STATE A CLAIM**

Defendants President Donald J. Trump and John Koskinen, Commissioner, Internal Revenue Service, hereby move the Court to dismiss this action for lack of subject matter jurisdiction under Rule 12(b)(1) of the Federal Rules of Civil Procedure or for failure to state a claim upon which relief can be granted under Rule 12(b)(6), for the reasons explained in the accompanying memorandum.

Date: August 22, 2017

Respectfully submitted,

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